

# Union Calendar No. 577

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1288

[Report No. 106-947, Part I]

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2000

Referred to the Committee on Resources

OCTOBER 6, 2000

Reported and referred to the Committee on Agriculture for a period ending not later than October 13, 2000, for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(a), rule X

OCTOBER 13, 2000

Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## AN ACT

To provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Community Forest  
3 Restoration Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

6 (1) A century of fire suppression, logging, and  
7 livestock grazing has altered the ecological balance  
8 of New Mexico’s forests.

9 (2) Some forest lands in New Mexico contain  
10 an unnaturally high number of small diameter trees  
11 that are subject to large, high intensity wildfires  
12 that can endanger human lives, livelihoods, and eco-  
13 logical stability.

14 (3) Forest lands that contain an unnaturally  
15 high number of small diameter trees have reduced  
16 biodiversity and provide fewer benefits to human  
17 communities, wildlife, and watersheds.

18 (4) Healthy and productive watersheds mini-  
19 mize the threat of large, high intensity wildfires,  
20 provide abundant and diverse wildlife habitat, and  
21 produce a variety of timber and non-timber products  
22 including better quality water and increased water  
23 flows.

24 (5) Restoration efforts are more successful  
25 when there is involvement from neighboring commu-

1 nities and better stewardship will evolve from more  
2 diverse involvement.

3 (6) Designing demonstration restoration  
4 projects through a collaborative approach may—

5 (A) lead to the development of cost effec-  
6 tive restoration activities;

7 (B) empower diverse organizations to im-  
8 plement activities which value local and tradi-  
9 tional knowledge;

10 (C) build ownership and civic pride; and

11 (D) ensure healthy, diverse, and productive  
12 forests and watersheds.

13 **SEC. 3. PURPOSES.**

14 The purposes of this Act are—

15 (1) to promote healthy watersheds and reduce  
16 the threat of large, high intensity wildfires, insect in-  
17 festation, and disease in the forests in New Mexico;

18 (2) to improve the functioning of forest eco-  
19 systems and enhance plant and wildlife biodiversity  
20 by reducing the unnaturally high number and den-  
21 sity of small diameter trees on Federal, Tribal,  
22 State, County, and Municipal forest lands;

23 (3) to improve communication and joint prob-  
24 lem solving among individuals and groups who are

1 interested in restoring the diversity and productivity  
2 of forested watersheds in New Mexico;

3 (4) to improve the use of, or add value to, small  
4 diameter trees;

5 (5) to encourage sustainable communities and  
6 sustainable forests through collaborative partner-  
7 ships, whose objectives are forest restoration; and

8 (6) to develop, demonstrate, and evaluate eco-  
9 logically sound forest restoration techniques.

10 **SEC. 4. DEFINITIONS.**

11 As used in this Act—

12 (1) the term “Secretary” means the Secretary  
13 of Agriculture acting through the Chief of the For-  
14 est Service; and

15 (2) the term “stakeholder” includes: tribal gov-  
16 ernments, educational institutions, landowners, and  
17 other interested public and private entities.

18 **SEC. 5. ESTABLISHMENT OF PROGRAM.**

19 (a) The Secretary shall establish a cooperative forest  
20 restoration program in New Mexico in order to provide  
21 cost-share grants to stakeholders for experimental forest  
22 restoration projects that are designed through a collabo-  
23 rative process (hereinafter referred to as the “Collabo-  
24 rative Forest Restoration Program”). The projects may  
25 be entirely on, or on any combination of, Federal, Tribal,

1 State, County, or Municipal forest lands. The Federal  
2 share of an individual project cost shall not exceed eighty  
3 percent of the total cost. The twenty percent matching  
4 may be in the form of cash or in-kind contribution.

5 (b) ELIGIBILITY REQUIREMENTS.—To be eligible to  
6 receive funding under this Act, a project shall—

7 (1) address the following objectives—

8 (A) reduce the threat of large, high inten-  
9 sity wildfires and the negative effects of exces-  
10 sive competition between trees by restoring eco-  
11 system functions, structures, and species com-  
12 position, including the reduction of non-native  
13 species populations;

14 (B) re-establish fire regimes approximating  
15 those that shaped forest ecosystems prior to fire  
16 suppression;

17 (C) preserve old and large trees;

18 (D) replant trees in deforested areas if  
19 they exist in the proposed project area; and

20 (E) improve the use of, or add value to,  
21 small diameter trees;

22 (2) comply with all Federal and State environ-  
23 mental laws;

24 (3) include a diverse and balanced group of  
25 stakeholders as well as appropriate Federal, Tribal,

1 State, County, and Municipal government represent-  
2 atives in the design, implementation, and monitoring  
3 of the project;

4 (4) incorporate current scientific forest restora-  
5 tion information; and

6 (5) include a multi-party assessment to—

7 (A) identify both the existing ecological  
8 condition of the proposed project area and the  
9 desired future condition; and

10 (B) report, upon project completion, on the  
11 positive or negative impact and effectiveness of  
12 the project including improvements in local  
13 management skills and on the ground results;

14 (6) create local employment or training oppor-  
15 tunities within the context of accomplishing restora-  
16 tion objectives, that are consistent with the purposes  
17 of this Act, including summer youth jobs programs  
18 such as the Youth Conservation Corps where appro-  
19 priate;

20 (7) not exceed four years in length;

21 (8) not exceed a total annual cost of \$150,000,  
22 with the Federal portion not exceeding \$120,000 an-  
23 nually, nor exceed a total cost of \$450,000 for the  
24 project, with the Federal portion of the total cost  
25 not exceeding \$360,000;

1           (9) leverage Federal funding through in-kind or  
2       matching contributions; and

3           (10) include an agreement by each stakeholder  
4       to attend an annual workshop with other stake-  
5       holders for the purpose of discussing the cooperative  
6       forest restoration program and projects implemented  
7       under this Act. The Secretary shall coordinate and  
8       fund the annual workshop. Stakeholders may use  
9       funding for projects authorized under this Act to  
10      pay for their travel and per diem expenses to attend  
11      the workshop.

12 **SEC. 6. SELECTION PROCESS.**

13       (a) After consulting with the technical advisory panel  
14      established in subsection (b), the Secretary shall select the  
15      proposals that will receive funding through the Collaborative  
16      Forest Restoration Program.

17       (b) The Secretary shall convene a technical advisory  
18      panel to evaluate the proposals for forest restoration  
19      grants and provide recommendations regarding which pro-  
20      posals would best meet the objectives of the Collaborative  
21      Forest Restoration Program. The technical advisory panel  
22      shall consider eligibility criteria established in section 5,  
23      the effect on long term management, and seek to use a  
24      consensus-based decision making process to develop such

1 recommendations. The panel shall be composed of 12 to  
2 15 members, to be appointed by the Secretary as follows:

3 (1) A State Natural Resource official from the  
4 State of New Mexico.

5 (2) At least two representatives from Federal  
6 land management agencies.

7 (3) At least one tribal or pueblo representative.

8 (4) At least two independent scientists with ex-  
9 perience in forest ecosystem restoration.

10 (5) Equal representation from—

11 (A) conservation interests;

12 (B) local communities; and

13 (C) commodity interests.

14 **SEC. 7. MONITORING AND EVALUATION.**

15 The Secretary shall establish a multi-party moni-  
16 toring and evaluation process in order to assess the cumu-  
17 lative accomplishments or adverse impacts of the Collabo-  
18 rative Forest Restoration Program. The Secretary shall  
19 include any interested individual or organization in the  
20 monitoring and evaluation process. The Secretary also  
21 shall conduct a monitoring program to assess the short  
22 and long term ecological effects of the restoration treat-  
23 ments, if any, or a minimum of 15 years.



1 **SEC. 8. REPORT.**

2       No later than five years after the first fiscal year in  
3 which funding is made available for this program, the Sec-  
4 retary shall submit a report to the Committee on Energy  
5 and Natural Resources of the United States Senate and  
6 the Committee on Resources of the United States House  
7 of Representatives. The report shall include an assessment  
8 on whether, and to what extent, the projects funded pursu-  
9 ant to this Act are meeting the purposes of the Collabo-  
10 rative Forest Restoration Program.

11 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

12       There are authorized to be appropriated \$5,000,000  
13 annually to carry out this Act.

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